



**U.S. NRC**

UNITED STATES NUCLEAR REGULATORY COMMISSION

*Protecting People and the Environment*

# **Long-Term Waste Confidence Update**

January 31, 2012

Christine Pineda

Office of Nuclear Material Safety and Safeguards

# Purpose of Webinar

Primary purpose: respond to your questions about draft report, “Background and Preliminary Assumptions for an Environmental Impact Statement—Long-Term Waste Confidence Update”

We will also:

- Provide some background on Waste Confidence
- Briefly walk through report

Report is available at:

<http://www.nrc.gov/waste/spent-fuel-storage/public-involvement.html>

and in ADAMS at accession number ML11340A141

Submit comments on long-term Waste Confidence update to

[WCO Outreach@nrc.gov](mailto:WCO Outreach@nrc.gov)

# Report Overview

Report is first step in process.

- Waste Confidence Background
- The NRC's Regulatory Role and Waste Confidence
- General Methodology and Scope of Impacts
- Assumptions and Scenarios for Analysis
- Process and Opportunities for Public Input
- Ongoing NRC Staff Activities

## **Background: Origin of Waste Confidence**

In 1979, US Court of Appeals for DC Circuit required NRC to make findings:

- Whether there is reasonable assurance that an offsite disposal solution will be available by the expiration of the plants' operating licenses; and
- If not, whether there is reasonable assurance that the spent nuclear fuel can be stored safely at the sites beyond those dates.

# Waste Confidence Decision and Rule

Decision and Rule established 1984, updated in 1990 and 2010

- Decision composed of 5 findings and their bases
- Rule established to fulfill part of NRC's NEPA obligations when licensing nuclear power plants.
- Decision provides basis for Rule and is generic (applies to all plants)

State of New York, et al. v. USNRC, (Case No.11-1045), and consolidated cases, challenging the 2010 Waste Confidence Rule and related consideration of environmental impacts.

# Regulatory Role and Waste Confidence

- NRC is a regulatory agency
- NRC regulates storage through a comprehensive program
- Waste Confidence conveys the Commission's conclusions that safe storage and disposal are feasible and will be available.
- Waste confidence is not
  - a regulatory program
  - a specific licensing action

# Waste Confidence EIS

## General Scope and Methodology

- Preliminary assumed storage period for analysis: on the order of 200 years
- Important aspects of methodology
  - Composite, generic sites
  - Generic impacts
  - Range of impacts in NRC EISs
  - Qualitative and quantitative analyses
- EIS will take advantage of information from relevant EISs and technical activities on extended storage and transportation
- Commission has not yet determined whether this a major federal action significantly affecting the quality of the human environment. Commission directed staff to prepare EIS because of public interest.

# Waste Confidence EIS

## Assumptions and Scenarios

### Some major assumptions:

- Nuclear power continues in same proportion as today
- Storage continues to be a fully regulated activity
- All scenarios include transportation to disposal site
- Conditions 200 years from now (e.g., transportation infrastructure) similar to current conditions

### Preliminary scenarios for comparing impacts:

- Onsite (at-reactor) storage
- Regional storage
- Centralized storage
- Combination + some reprocessing



## Timeline

April 2012: Finalize current report, addressing comments

2012-2013: Develop preliminary information to support identification of EIS scope

2013: Initiate formal NEPA process: announce the NRC's intent to develop the EIS

2013-2016: Hold public scoping under NEPA, develop draft EIS, possible draft decision, and possible proposed rule.

2017-2019: If necessary, develop and publish final Waste Confidence EIS, decision and rule.



## Time for Clarifying Questions

Please limit your questions or comments to allow maximum participation

Provide comments on report by February 17, 2012, to [WCOutreach@nrc.gov](mailto:WCOutreach@nrc.gov)